

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

ROBBIE EMERY BURKE, as Special
Administratrix of the Estate of BILLY WOODS,
Deceased,

Plaintiff,

vs.

BOARD OF COUNTY COMMISSIONERS
OF MUSKOGEE COUNTY, OKLAHOMA,

Defendant.

Case No.: 18-CV-108-RAW

**PLAINTIFF’S RESPONSE TO DEFENDANT’S BRIEF REGARDING
OBJECTIONS TO CERTAIN DEPOSITION DESIGNATIONS**

COMES NOW the Plaintiff, Robbie Emery Burke (“Plaintiff”), as Administrator of the Estate of Billy Woods (“Mr. Woods” or “Billy”), and, in compliance with the Court’s Order (Dkt. #264), respectfully submits her Response to Defendant’s Objections to Plaintiff’s Deposition Designations (Dkt. #262), as follows:

On the afternoon of May 6, 2020, Defendant filed its Response to Plaintiff’s Brief in Support of Objections to Defendant’s Deposition Designations. *See* Dkt. #267. In that Response, Defendant represents that: (A) “defense counsel has confirmed with both Dr. Reames and Dr. Hough that they ***are available to testify live during the week of July 7, 2020***”; and (B) “Defendant Board ***has no intention of moving to admit its designations of Dr. Reames’ and Dr. Hough’s deposition testimony*** if they are available to testify live.” *Id.* at 2 (emphasis added). Prior to Defendant filing its Response, counsel for Plaintiff had expended significant time in drafting a detailed response to Defendants’ objections to Plaintiff’s counter-designations of Dr. Reames and Dr. Hough’s deposition testimony. However, now that Defendant has revealed Dr. Reames and Dr. Hough are available to testify live at trial in July, the Reames and Hough deposition designations, and objections thereto, are unnecessary and improper *in toto*.

Respectfully,

/s/ Robert M. Blakemore

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CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of May 2020, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to all ECF registrants who have appeared in this case.

/s/ Robert M. Blakemore